

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FLORENCE WOLFE

§

§

§ Case No. 4:09-CV-492

§ (Judge Schneider/Judge Mazzant)

v.

§

§

CAREFIRST OF MARYLAND, INC. D/B/A

§

CAREFIRST BLUECROSS BLUESHIELD

§

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On April 27, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss Plaintiff's Complaint for Improper Venue Under Federal Rule of Civil Procedure 12(b)(3) and 28 U.S.C. § 1406(a) or Alternatively, Motion to Transfer Under 28 U.S.C. § 1404(a) (Dkt. #7) should be **GRANTED** and the case should be transferred to the District of Maryland.

The Court, having made a *de novo* review of the objections raised by Plaintiff, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss Plaintiff's Complaint for Improper Venue Under Federal Rule of Civil Procedure 12(b)(3) and 28 U.S.C. § 1406(a) or

Alternatively, Motion to Transfer Under 28 U.S.C. § 1404(a) (Dkt. #7) is **GRANTED** and the case is transferred, pursuant to 28 U.S.C. § 1406(a) in the interest of justice and the convenience of the parties, to the District of Maryland.

IT IS SO ORDERED.

SIGNED this 17th day of May, 2010.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE